

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

R. CATHY REARDON, *on behalf of herself and all similarly situated individuals,*

Plaintiff,

V.

CLOSETMAID CORPORATION,

Defendant.

Civil Action No. 2:08-cv-01730

Judge Mark R. Hornak

Electronically Filed

**DEFENDANT'S MOTION TO AMEND
ORDER TO CERTIFY FOR IMMEDIATE APPEAL**

Defendant ClosetMaid Corporation (“ClosetMaid”), by and through its undersigned attorneys, and pursuant to 28 U.S.C. §1292(b) and applicable Federal Rules of Appellate Procedure and Federal Rules of Civil Procedure, along with the Court’s inherent power, respectfully moves this Honorable Court to Amend its Orders dated December 2, 2013 (Doc. 157) and December 6, 2013 (Doc. 161) (collectively, the “Order”), to include the necessary language certifying it for immediate interlocutory appeal. The arguments and authorities supporting this motion are set forth in ClosetMaid’s contemporaneously filed Memorandum of Law in Support and are incorporated herein by reference.

WHEREFORE, Defendant ClosetMaid Corporation, respectfully requests that this Court grant its Motion for the points, arguments, and authorities set forth in its contemporaneously filed Memorandum in Support.

Respectfully submitted,

**OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.**

/s/ W. Scott Hardy

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Counsel for ClosetMaid Corporation

Dated: December 12, 2013

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing DEFENDANT'S MOTION TO AMEND ORDER TO CERTIFY FOR IMMEDIATE APPEAL was filed electronically on December 12, 2013. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ W. Scott Hardy

Counsel for Defendant